



The Commonwealth of Massachusetts
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
STATE 911 DEPARTMENT

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VIA ELECTRONIC MAIL AND OVERNIGHT MAIL

March 16, 2023

Shonda D. Green, Department Secretary
Massachusetts Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, Massachusetts 02118-6500

RE: Petition of the State 911 Department for Approval of Fiscal Year 2023 Expenditures, Approval of Fiscal Year 2024 Development Grant Amount, Approval of the Telecommunicator Emergency Response Taskforce Grant Guidelines, and Approval of Massachusetts Equipment Distribution Program Request for Response.

Dear Ms. Green:

Pursuant to Massachusetts General Laws ("G.L.") c. 6A, § 18H(b), the State 911 Department ("Department") hereby submits this Petition to the Department of Telecommunications and Cable ("DTC") for Approval of Fiscal Year 2023 Expenditures, Approval of Fiscal Year 2024 Development Grant Amount, Approval of the Telecommunicator Emergency Response Taskforce ("TERT") Grant Guidelines, and Approval of Massachusetts Equipment Distribution Program (MassEDP) Request for Response (RFR).

The Department offers the following in support of the Petition.¹

I. FISCAL YEAR 2023 EXPENDITURES

The Department is required to seek the approval of DTC" for projected total expenditures that exceed total expenditures of the previous fiscal year by ten (10) per cent or more. See G.L. chapter 6A, § 18H(c), which provides in pertinent part, as follows:

¹Pursuant to G.L. c. 6A, § 18H(b), the Department is required to report annually to the DTC on the financial condition of the Enhanced 911 Fund and on the Department's assessment of the new developments affecting the enhanced 911 system. The Department respectfully requests that the DTC treat this petition as satisfying that requirement for Fiscal Year 2023.

The department shall seek the approval of the department of telecommunications and cable for projected total expenditures that exceed total expenditures of the previous fiscal year by ten (10) per cent or more. The department of telecommunications and cable may investigate the reasonableness of the expenditures and shall conduct its review and issue a decision within 90 days from the date the department files its request for approval, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within such 90 days. The department of telecommunications and cable shall notify the department of its intent to investigate within 20 days of the date the department files its request for approval. The department's request for approval shall be deemed approved in the absence of the department of telecommunication and cable's notification to the department of its intent to investigate. If the department of telecommunication and cable notifies the department that it intends to investigate an expenditure, the department of telecommunications and cable may hire experts to assist in its investigation. The reasonable cost of the experts shall be charged to the Enhanced 911 Fund, but in no event shall such cost exceed \$200,000, which may be adjusted to reflect changes in the consumer price index.

An itemized breakdown of the Department's projected expenditures for Fiscal Year 2023 is set forth in Exhibit A, along with the final expenditures for Fiscal Year 2022, attached hereto and made a part hereof. The expenditures are described in more detail below.

As set forth in Exhibit A, the projected expenditures of the Department for Fiscal Year 2023 are \$227,767,707. This projected amount is more than ten (10) per cent greater than the actual expenditures of \$134,052,606 for Fiscal Year 2022. Accordingly, the Department hereby requests DTC approval of Fiscal Year 2023 projected expenditures.

II. ENHANCED 911 FUND

The legislation provides that the Department shall disburse funds from the Enhanced 911 Fund for prudently incurred expenses associated with the following:

... the lease, purchase, upgrade or modification of primary and regional PSAP customer premises equipment and the maintenance of such equipment; network development, operation and maintenance; database development, operation, and maintenance; training of 911 telecommunicators regarding the receipt and use of enhanced 911 service information; education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service; grants associated with enhanced 911 service as set forth in subsection (i) and any other grant approved by the department associated with providing enhanced 911 service in the commonwealth; the recurring and nonrecurring costs of communication services providers in providing enhanced 911 service in the commonwealth to the extent required by federal or Massachusetts law or regulation or federal or Massachusetts agency decision or order; and other expenses incurred by the state 911 department in administering and operating the enhanced 911 system in the commonwealth. *See G.L. c. 6A, § 18B(f).*

As set forth more fully below, the Department's expenditures are prudently incurred, statutorily authorized expenses necessary to administer and operate the 911 system in the Commonwealth.

Projected Revenues and Expenditures

The Department has projected revenues and expenditures for the Enhanced 911 Fund for Fiscal Year 2023 through Fiscal Year 2027. See Exhibit B.

Projected Surcharge Revenues

The revenue projection methodology is consistent with the Department's past revenue projection methods. The subscriber line counts are based on the average number of subscribers available at the date of this filing and assumes no change in the number of access lines subject to the surcharge. The estimate of revenues for each fiscal year is derived from the beginning fund balance, the estimated net revenue, and interest earned. The total estimated revenue is reached by adding to the beginning fund balance, the estimated total net revenue and the estimated interest earned.

Please note these projections reflect the reduction of the surcharge fee from \$1.50 to \$1.00 effective January 1, 2024, per D.T.C. Order 18-2 dated June 29, 2018.

This reduction will have a negative impact on the Department's ability to fund its grant programs at a level the PSAPs, Regional PSAPs, and RECCs have become accustomed to since the \$1.50 went into effect on January 1, 2019. In addition, this reduction will have a negative impact on the Department's ability to build upon the successful regionalization efforts supported by multiple Administrations to improve public safety by enhancing 9-1-1 services and efficiently utilizing resources. As these reductions will have an impact on municipal budgets, the Department is further assessing whether the reduction to \$1.00 is in the best interest of the Commonwealth residents' safety. At this time, the Department is not seeking a review of the surcharge.

Beginning Fund Balance

The beginning fund balance of the Enhanced 911 Fund is arrived at by carrying over the Enhanced 911 Fund balance from the prior fiscal year.

Net Revenue

The estimate of the net revenue for each fiscal year is based on multiplying the then current surcharge and the then estimated number of subscribers and subtracting carrier administrative fees. The projection assumes a one (1) per cent carrier administrative fee.

Interest Earned

The Department does not earn interest on the total Enhanced 911 Fund balance. Interest is earned only on the invested funds. The interest earned each month is then reinvested, thereby increasing the invested funds. To estimate the interest earned, the Department utilizes the average interest rate as provided by the Office of the State Treasurer in its monthly reporting on the Massachusetts Municipal Depository Trust. The Department has applied an annual rate of 3.45 per cent as an estimate of the interest rate to be applied, on a monthly basis, to the invested fund balance.

Projected Expenses

The following is a description of the budgeted categories of expenses for the Enhanced 911 Fund. These expenses are prudently incurred and are necessary to meet the legislation's directives.

Administration

Salary Costs

The Department's projected expenses include salaries and overhead costs for employees, excluding salary costs associated with the operation of the wireless and 911 centers since those costs are included in the line item for each such center discussed below, and contract employees. The projected salary costs are attributable to full time employee ("FTE") and contract positions. These positions are necessary to fulfill the Department's statutory obligations. The Department has projected salary expenses that reflect contractual step increases and estimated cost of living adjustments that may be negotiated by the National Association of Government Employees (NAGE) union and the Commonwealth.

Agency Expenses

The category of agency expenses includes employee reimbursements, administrative expenses, operational supplies, utilities/space rental, consultant services, operational services, equipment purchases, lease, maintenance, and repair services, building maintenance and repairs, and IT services and equipment.

Capital Project

The Department's projections include funding for the replacement of radio consolettes at the 911 call center, replacement of a vehicle, relocation and expansion of the Department's wireless and training centers, upgrade of the fire alarming and radio systems at the 911 call center.

Grant Programs

The legislation requires the Department to develop and administer grant programs to assist PSAPs and RECCs in providing enhanced 911 service and to foster the development of regional PSAPs, regional secondary PSAPs, and RECCs. See G.L. c. 6A, 18B(i). The legislation requires that the Department fund the following grant programs: the PSAP and Regional Emergency Communications Center Training Grant ("Training Grant"); the PSAP and Regional Emergency Communication Center Support Grant ("Support Grant"); the Regional PSAP and Regional Emergency Communication Center Incentive Grant ("Incentive Grant"); the Wireless State Police PSAP Grant; and the Regional and Regional Secondary PSAP and Regional Emergency Communications Center Development Grant ("Development Grant"). See G.L. c. 6A, § 18B(i)(1)-(5). The legislation also permits the Department to introduce new grants associated with providing enhanced 911 service in the Commonwealth. See G.L. c. 6A, § 18B(f). As discussed below, as permitted by the legislation, in 2011, the Department introduced a new grant, the Emergency Medical Dispatch ("EMD") Grant.² The EMD Grant was renamed the EMD/Regulatory Compliance Grant in Fiscal Year 2014. In Fiscal Year 2020, the Grant went back to being named the EMD Grant. On January 26, 2023, the State 911 Commission ("Commission") voted to approve the TERT Grant Guidelines.

The legislation provides that the Commission shall approve all formulas, percentages, guidelines, or other mechanisms used to distribute these grants. See G.L. c. 6A, § 18B(a). The eligibility requirements, purpose, use of funding, including categories of use of funds, application process, grant review and selection process, and grant reimbursement process for each of these grants are set forth in the Grant Guidelines that are approved by the Commission.

The projections provided in Exhibit B reflect the reduction of the surcharge fee from \$1.50 to \$1.00 effective January 1, 2024, per D.T.C. Order 18-2 dated June 29, 2018. As demonstrated in Exhibit B, this

² The EMD Grant was approved by the DTC by Order dated May 27, 2011 in D.T.C. 11-2.

surcharge reduction impacts the Department's ability to fund its grant programs at a level the PSAPs, Regional PSAPs, and RECCs have become accustomed to since the \$1.50 surcharge went into effect on January 1, 2019.

Training Grant

The Training Grant reimburses primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for allowable expenses related to the training and certification of enhanced 911 telecommunicators.

The Department's projections strive to maintain a funding level for the Training Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs to meet the minimum training and certification requirements for enhanced 911 telecommunicators. As previously noted, the surcharge reduction will impact this effort.

Emergency Medical Dispatch Grant

The purpose of the Department's EMD Grant is to reimburse primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs, for allowable expenses relating to emergency medical dispatch services provided through a certified emergency medical dispatch resource, emergency medical dispatch protocol reference systems (EMDPRS), and for allowable expenses for other emergency medical dispatch and quality assurance of emergency medical dispatch services.

The Department's projections strive to maintain a funding level for the EMD Grant to provide sufficient funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs to meet the minimum requirements governing EMD.³ As previously noted, the surcharge reduction will impact this funding level.

Support and Incentive Grants

The Support and Incentive Grants provide funding to primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for allowable expenses related to enhanced 911 personnel and equipment costs. In addition to amounts allocated as part of the Support Grant, incentive funds are awarded to regional PSAPs and RECCs.

The Department's projections present a funding level for the Support Grant to provide funding for primary PSAPs, regional PSAPs, regional secondary PSAPs, and RECCs for personnel, equipment, and other allowable expenses. Further, in response to Chapter 177 of the Acts of 2022, the Support Grant, beginning with FY 2024, provides funding to primary PSAPs, regional PSAPs, regional secondary PSAPs and RECC that dispatch mobile behavioral health crisis response services. Reduction of the surcharge will negatively impact the allocations awarded to PSAPs and RECCs.

The legislation requires that the Incentive Grant shall provide regional PSAPs and RECCs with funds, in addition to amounts allocated as part of the Support Grant, to be used for reimbursement of allowable expenses. See G.L. c. 6A, § 18B(i)(4). The legislation uses a formula that applies a specified percent of total surcharge revenues for the previous fiscal year based on the number of municipalities to be served by the regional PSAP or RECC. See G.L. c. 6A, § 18B(i)(4).

The Department's projections present a funding level for the Incentive Grant to provide additional funding for regional PSAPs and RECCs for personnel, equipment, and other allowable expenses, and to allow the

³ The statutory definition of "emergency medical dispatch" or EMD, is set forth in G.L. c. 6A, § 18A.

Department to meet its statutory obligations to maximize effective enhanced 911 services and regional interoperability and will further the Department's goals of increased regionalization which will, in turn, lead to a more efficient and effective use of resources and improve public safety. Reduction of the surcharge could negatively impact the achievement of these goals.

Wireless State Police PSAP Grant

Currently, 911 calls placed from wireless callers in the Commonwealth are routed to a wireless state police PSAP for directly dispatching emergency response services or transferring the calls to local PSAPs for local police, fire, and emergency medical services dispatch, or in some instances not transferred at all.

The Wireless State Police PSAP Grant reimburses the wireless state police PSAP at Northampton for allowable expenses related to training, enhanced 911 personnel, and equipment costs. The Department's projections present the funding level for the Wireless State Police PSAP Grant, providing funding for allowable expenses. Reduction of the surcharge will negatively impact the funding allocated.

Development Grant

The Development Grant supports the development and startup of regional PSAPs, regional secondary PSAPs, and RECCs, including the expansion or improvement of existing regional PSAPs and RECCs. Since the inception of the grant programs in Fiscal Year 2009, the Department has witnessed a significant interest in regionalization among the PSAPs and RECCs. Through the Development Grant, the Department has provided funding for a number of significant regionalization projects. The Department has received requests for funding and has awarded funding for feasibility studies, construction, and equipment for proposed regional PSAPs and RECCs; and construction to expand and provide new equipment for existing regional PSAPs and RECCs. The regional projects funded under this Grant are often complex and are completed over multiple fiscal years. The expenditures are recorded in the fiscal year in which they are incurred. Grants funded under the Development Grant, due to their complexity, often cross fiscal years. The Department's projections increase the funding level for the Development Grant to \$40 million to provide funding for these important regionalization efforts. These projections also contain funding to support those projects awarded under a prior fiscal year grant program that have been extended through June 30, 2023. There are currently two hundred twelve (212) PSAPs in the Commonwealth, with fifty-two (52) PSAPs that have become regionalized since the Development Grant program began. The Department expects that twelve (12) additional PSAPs will regionalize over the next five (5) years.

The Department is seeing an increase in interest in either joining an existing RECC or in creating a new RECC that serves multiple communities. This momentum may be stalled should the Department need to greatly reduce this grant program as a result of the reduction in the surcharge.

Telecommunicator Emergency Response Taskforce (TERT) Grant

The Executive Office of Public Safety and Security ("EOPSS"), the Department and the Statewide Interoperability Coordinator ("SWIC") endeavored to implement a TERT program within the Commonwealth of Massachusetts.

The TERT program is designed to support 9-1-1 communications centers requiring assistance. TERT deployments assist PSAPs that are stretched beyond their capabilities as the result of an unprecedented event. The TERT program helps provide much-needed relief to dispatchers. The Department has developed

TERT Grant Guidelines, which are attached in Exhibit C, to allow for the continued operation of the TERT program throughout the Commonwealth, as well as a curriculum and certification process for telecommunicators. This initial TERT Grant will begin on July 1, 2023 and run through June 30, 2026.

TERT members/teams typically respond to a PSAP/ECC when an agency needs a team due to a major event or special circumstances. The purpose of TERT is to provide relief to personnel of a communications center that has experienced a major event to augment the staffing of that center. The TERT can be activated in instances, which may include, natural disasters such as hurricanes, large wildfires, tornados, coverage for line of duty deaths, augment staffing due to widespread illness in center, staff relief after major events, including for Critical Incident Stress Management (CISM), or other instances as approved by the Department.

Enhanced 911

Next Generation 911 Project

A contract for Next Generation 911 products and services was executed with General Dynamics Information Technology ("GDIT") on August 4, 2014. The deployment of the Next Generation 911 system began in Fiscal Year 2017 and concluded in December 2017. All Massachusetts PSAPs are now operating within the Next Generation 911 system.

On April 29, 2019, the contract for Next Generation 911 products and services executed with GDIT was assigned to Comtech NextGen LLC. At that time the option to renew for an additional five (5) years was also executed, extending the contract for Next Generation 911 products and services through August 3, 2024.

The Department has posted a request for response (RFR) for the provision of Next Generation 911 products and services for the successor contract. It should be noted that the projections provided for fiscal years 2024 – 2027 are the Department's best estimate based upon the proposed structure of this RFR, anticipated contract start date, and information currently available to the Department.

Map Data

Through an interdepartmental service agreement between the Department and the Commonwealth's Office of Geographic Information ("MassGIS"), MassGIS provides updated, synchronized mapping data and information to the Department for use by PSAPs. As part of ongoing maintenance, MassGIS will continue updating the street database by adding missing streets and correcting erroneous streets. This is part of the core component of the GIS data used in support of the Next Generation 911 system. MassGIS acquires aerial imagery used for verification of streets and structures as part of the maintenance effort. MassGIS will contract with an outside vendor to identify the roofline of every structure in the Commonwealth and provide an outline of every building. This is necessary to attach street addresses to structures. Parcel data creation will continue to be part of the workflow process necessary to keep the data current. This entails collecting digital and paper maps and incorporating individual parcel line work into the statewide data set. Once new parcel data has been incorporated, MassGIS will use that data to update emergency service zones that will ultimately be used to route 911 calls to the proper PSAP. The services in support of Next Generation 911 consist of updated, synchronized mapping data and information and maintenance for the database and aerial imagery, and updates to the emergency services zones. These services are critical to the base operation of the Next Generation 911 system.

Next Generation 911 Recurring and Non-Recurring Costs

The Department has projected recurring and non-recurring costs for the Next Generation 911 system based on the contract executed on April 29, 2019 and scheduled to expire on August 3, 2024.

The Department has posted a RFR (bid number BD-23-1044-EPS90-1044E-84666) for the provision of Next Generation 911 products and services for the successor contract. It should be noted that the projections provided for fiscal years 2024 – 2027 are the Department's best estimate based upon the proposed structure of this RFR, anticipated contract start date, and information currently available to the Department.

Radio Infrastructure

In 2018, the Department received authorization from the D.T.C. to increase the Enhanced 911 Surcharge for a period of five years to fund several approved initiatives. Among the initiatives approved, was the modernization, upgrade, and expansion of the Commonwealth's Public Safety Interoperable Radio System (see D.T.C. Order 18-2). As stated by the DTC in its 20-1 Order, "[t]he Commonwealth of Massachusetts Interoperable Radio System ("CoMIRS") is an existing state-wide interoperable radio network that serves as the primary communications tool for many public safety first responders including the Massachusetts State Police. As such, PSAPs utilize the CoMIRS network to quickly and efficiently dispatch and relay emergency 911 information to first responders. Because of PSAPs' direct reliance on CoMIRS and the fact that CoMIRS is used for 911 dispatch, the DTC has ruled that certain dispatch-related costs of the CoMIRS network are appropriately reimbursed by the [Enhanced 911 Trust] Fund."

The "CoMIRS+P25" project is managed and funded through a formal collaborative business relationship between the Department and the Executive Office of Technology Services and Security (EOTSS). Project management has been conferred upon EOTSS, while oversight of the financial transactions remains with the Department. To ensure the proper use and oversight of project expenditures, the Department mandates that EOTSS file quarterly and annual reports with the Department. All quarterly and annual reports have been forwarded to the DTC for review and inclusion in the respective docket.

Since filing its last petition on March 3, 2022, the Department reports the following Radio Infrastructure Project activities:

- Purchased and issued 2,809 new replacement portable radios and 3,307 new replacement mobile radios. The last 870 mobile radios have been ordered and are scheduled to be delivered in March. When these radios are received, the total mobile radio count will reach 4,177.
- Completed the preliminary project design for Implementation Stage 1 (IS-1). The design (subject to modifications) incorporates:
 - 91 communication sites, requiring various degrees of acquisition, licensing, and improvement,
 - 18 new electronics shelters, 26 new generators, 56 new HVAC systems,
 - 552 P25 Phase 2 TDMA base stations and licenses,
 - 114 new microwave dishes,
 - 272 new RF antennas,
 - 79 new microwave links and 25 new fiber circuits.
- Ordered, staged, successfully completed the "proof of concept" testing for core network equipment, system management tools and the radio and networking equipment for Phase 1A of the new system.
- Installed fixed network equipment in communications shelters, including tower-top amplifier equipment, transmit power monitors, site routers, switches, and combiners at existing communications sites planned for reuse in the new system.

- Upgraded HVAC systems at seven (7) communications sites planned for reuse in the new system.
- Completed board upgrades at twenty-nine (29) locations to upgrade reused communications equipment for use in the new system.
- Finalized the preliminary scope of work for the foundation mapping, tower structural analyses and geotechnical analyses associated with IS-1 tower sites:
 - completed fifty-four (54) compound and tower lease exhibits,
 - completed twenty-seven (27) tower mappings,
 - completed eleven (11) tower structural analyses,
 - completed fourteen (14) foundation mappings,
 - completed eight (8) geotechnical analyses.
- Filed, or in the process of filing, applications for new contracts or contract amendments with the tower owners at twenty-three (23) communications sites. Contract negotiations are active and on-going.

FIXED PRICE PROJECT MILESTONES		
DESCRIPTION	COST	SCHEDULED
System Setup	\$ 10,908,106.00	FY22 Q3 – FY26 Q3
Integrations	\$ 2,784,989.00	FY26 Q1
Work Phase 1A	\$ 33,784,960.00	FY23 Q1 – FY25 Q3
Work Phase 1B	\$ 14,689,114.00	FY23 Q4 – FY25 Q3
Work Phase 1C	\$ 7,344,558.00	FY24 Q1 – FY26 Q3
Work Phase 1D	\$ 9,644,113.00	FY24 Q1 – FY26 Q3
TOTAL	\$ 79,155,840.00	

In addition to the fixed price deliverables, the contract provides for specific “allowances”. These allowances are pre-approved, variably priced tasks that Motorola may be required to deliver, subject to written instruction by the Commonwealth. The allowances have been grouped into six categories, each with an agreed upon budgetary cap. Allowance caps may be adjusted; however, any cap adjustment will require a negotiated contract modification.

ALLOWANCES	
Frequency Licensing	\$ 88,174.00
Tower Remediation	\$ 9,304,632.00
Site Improvements	\$ 6,994,080.00
Permitting, NEPA & Compliance	\$ 550,324.00
Backhaul Improvements	\$ 1,510,592.00
Approved Additional Expenses	\$ 28,752.00
TOTAL	\$ 18,476,554.00

As stated in the Commonwealth’s 2017 Interoperable Radio System Study, “[r]eplacing aging analog radios cannot wait until the digital network is built. Rather, the sheer number of radios that are incompatible with modern digital communications requires a dedicated and long-term approach to subscriber unit replacement....[a]ll critical, operable radios should be replaced prior to the completion of the CoMIRS digital network.” (6 CoMIRS Digital Modernization Roadmap, Major Activity 6.2.7). To this end, EOTSS created the *Radio Upgrade Grant Program* in November 2020. After extensive production and supply chain disruptions caused by the COVID pandemic, the CoMIRS Program Management Office (PMO) reports that all but 870 radios have been received and distributed. (The last 870 mobile radios are scheduled for delivery in March.)

Municipal / State First Responders County Prisoner Transport	Portable Radios Replaced	Mobile Radios Replaced	Total Radios Replaced
Municipal Police	676	435	1,111
Municipal Fire	1,044	538	1,582
Municipal Harbormaster	31	34	65
Municipal Dispatch and Control	18	9	27
Sheriff Prisoner Transport	130	131	261
State Agencies	910	3,030	3,940
TOTALS	2,809	4,177	6,986

As reported in the Department's 2022 Petition, the costs of the Motorola Solutions contract, radio replacements and upgrades, engineering, project management, licenses and circuit assessments yielded an overall project cost estimate of \$132.5M. In November of 2022, CoMIRS filed its *Annual Report* with the Department and reported that, "...\$1.95M in FY2018 expenditures previously authorized and paid from the State 911 Enhanced Fund...should have been classified as CoMIRS network expenditures and assigned to the project. Consequently, and as of September 30, 2022, the refreshed project cost is ... \$134.8M." Since November, several *Radio Upgrade Program (RUP)* grants have been closed out and reconciled resulting in a modest reduction to the cost projection, which now stands at \$134.53M. Although the current cost projection exceeds the 2017 projection, the increase remains well under the cumulative inflation rate for the five-year period between 2017 and 2022. To address the increase in cost, EOTSS has supplemented its "Five-Year Budget" with an additional U07 expenditure line item called "Alternative Funding Source". This line item reflects \$9.53M in funding from a yet to be determined revenue source. The Department continues to coordinate with EOTSS on the identification of revenue alternatives that could reasonably be leveraged to address the outstanding project balance.

Wireless Center

The Department is operating a Wireless Center whereby the Department took over responsibility for receiving wireless 911 calls formerly assigned to two wireless state police PSAPs and, as appropriate, relaying emergency 911 calls to public or private safety departments or PSAPs. The Wireless Center operated by Department employees is located at the location that formerly housed the Framingham wireless state police PSAP. The Department is currently working with the Division of Capital Asset Management and Maintenance ("DCAMM") to relocate this Wireless Center, which will allow for expansion. On December 21, 2022, DCAMM, on behalf of the Department, entered into a 10-year lease for the new location of the Wireless Center at 31 Maple Street in Milford, Massachusetts. In addition, the current Department training center in Maynard will be relocated to the new location at 31 Maple Street. The relocation of the Wireless Center and the training facility is expected to be completed in December 2023.

911 Call Center

The Department assumed operational responsibility of a RECC effective Fiscal Year 2020. The transition of the North Shore Regional 911 Center ("NSRC"), formerly known as the Essex County Sheriff RECC, was completed in July 2019. The NSRC receives and processes 9-1-1 calls from six (6) municipalities, with Manchester by the Sea being added on March 1, 2023. In addition, the NSRC receives and processes wireless 9-1-1 calls for that region of the Commonwealth.

911 Call Center – Western Massachusetts

The Department is assessing the feasibility of assuming operational responsibility of a RECC located in Berkshire County. The possible transition of this RECC is targeted for July 2024. This RECC currently receives and processes 9-1-1 calls from twenty-six (26) municipalities.

Interpretive Services

Interpretive services, through a third-party vendor, continue to be provided to PSAPs throughout the Commonwealth and for the equipment distribution program (“EDP”) pursuant to a statewide contract with a contractor.

Mobile PSAP

The Department owns, operates, controls, and maintains a mobile PSAP. The mobile PSAP is a vehicle outfitted with six (6) Next Generation 911 answering positions, one (1) administrative workstation, and seven (7) administrative telephones. It is housed in a 2010 Kenworth vehicle. The mobile PSAP is available 24 x 7 to respond to and temporarily replace and assist PSAPs that are rendered non-operational due to structural failure, equipment failure, infrastructure failure, or other emergency and/or pre-planned events. The mobile PSAP is deployed for training, public education, PSAP conversions and build outs, the Boston Marathon, and as an emergency backup PSAP. With the upgrade to Next Generation 911, the MPSAP is more capable and easily deployed. The Department has included projected expenses of maintenance and monitoring and overall support for the mobile PSAP.

Training Program

The legislation requires the Department to train enhanced 911 telecommunicators regarding the receipt and use of enhanced 911 service information. *See* G.L. c. 6, § 18B(f). Since the inception of the training program, the Department has engaged in an effort to offer a comprehensive training program that has expanded through the addition of many new approved courses due to procedural, operational and technology changes like Next Generation 911.

The legislation also directs the Department to establish, with the Commission's approval, certification requirements for enhanced 911 telecommunicators that include EMD and quality assurance of EMD programs.

Accordingly, effective July 1, 2012, the Department promulgated 560 CMR 5.00: State 911 Department Regulations Establishing Certification Requirements for Enhanced 911 Telecommunicators, Governing Emergency Medical Dispatch, and Establishing 911 Call Handling Procedures (“EMD regulations”). The EMD regulations impose certification requirements in order for a person to act as an enhanced 911 telecommunicator. These regulations require the successful completion of a minimum of two (2) days of 911 equipment and basic telecommunicator training offered by the Department and successful completion of a minimum of forty (40) hours of Department-approved basic telecommunicator training (or the equivalent). In order to maintain certification as an enhanced 911 telecommunicator, it is necessary to successfully complete thereafter a minimum of sixteen (16) hours of Department-approved continuing education annually (or the equivalent). In addition, the EMD regulations impose requirements for PSAPs to provide EMD services either through certified emergency medical dispatchers or by arranging for EMD to be provided through a certified EMD resource. The EMD regulations require that, in order to act as a certified emergency medical dispatcher for a PSAP, an individual shall: obtain and maintain certification as an enhanced 911 telecommunicator; obtain and maintain CPR certification; and obtain and maintain certification in EMD through an EMD certification organization approved by the Department. The EMD

regulations require that, in order to act as a certified EMD resource, the entity shall submit a request for approval that shall include the EMD protocol and documentation that each emergency medical dispatcher is certified.

The EMD regulations require that all certified enhanced 911 telecommunicators complete sixteen (16) hours of continuing education annually. Further, the EMD regulations require newly hired enhanced 911 telecommunicators to complete a minimum of two (2) days of 911 equipment and basic training and to complete a minimum of forty (40) hours of Department-approved basic telecommunicator training, plus certification in EMD (at either twenty-four (24) hours or thirty-two (32) hours depending on the vendor) if providing EMD in-house and a four (4) hour cardiopulmonary resuscitation (CPR) course. The training is managed by the PSAPs, and the courses vary. The Department maintains a listing of eligible courses that are supported by the Training Grant program.

Public Education

The legislation provides for the education of consumers regarding the operation, limitation, role and responsible use of enhanced 911 service. The Department continues with its strong commitment to educate the public regarding enhanced 911 service throughout the Commonwealth. The Department continues to attend outreach events across the Commonwealth, including furnishing literature and information about enhanced 911 service, telecommunications relay service (TRS), and EDP, and conducting public service announcements, or PSAs.

Disability Access Program (Specialized Customer Premises Equipment, Telecommunications Relay Services, Captioned Telephone Relay Service)

The legislation transferred to the Department the responsibility for administration and oversight of disability access programs. The legislation directs the Department to provide and maintain a Specialized Customer Premises Equipment, or SCPE, Distribution Service.⁴ This program, which has been expanded to include wireless phones, makes specialized devices that provide access to telephone networks for people with hearing, speech, vision, mobility or cognitive disability. The legislation also directs the Department to administer telecommunication relay service,⁵ or TRS, and captioned telephone relay service, or CTRS, throughout the Commonwealth.⁶ The Department has entered into contracts with various equipment vendors to provide the SCPE to persons with disabilities. Further, the Department executes contracts with the Commission for the Deaf and Hard of Hearing and other entities to support this program. In addition, the Department has procured the services of a contractor to provide both TRS and CTRS throughout the Commonwealth. The Department's projections maintain funding levels to support these services. The Department shall, prior to the implementation of services, along with the Massachusetts commission on the deaf and hard of hearing, issue a request for proposals subject to the department of telecommunications and cable's review and approval seeking competitive bids from qualified vendors to provide such services. Communications services providers shall be permitted to submit a competitive bid to provide the aforementioned services. In any rate proceeding conducted under chapter 159 in which a common carrier seeks to reflect the costs for such services in rates, the carrier shall submit to the department of telecommunications and cable information about such requests for proposals such that the department of telecommunications and cable may determine whether the carrier's proposal would provide such services at a cost to the carrier that reflects the least cost to its ratepayers with due regard for standards of reliability and quality, consistent with the public interest.

⁴ The statutory definition of "SCPE" is set forth in G.L. c. 166, § 15E.

⁵ The statutory definition of "telecommunications relay service" or "TRS" is set forth in G.L. c. 166, § 15E.

⁶ The statutory definition of "captioned telephone service" is set forth in G.L. c. 166, § 15E.

On February 24, 2023, the Department issued a RFR for the provision of Specialized Customer Premise Equipment. A copy is included as Exhibit D.

III. FISCAL YEAR 2024 DEVELOPMENT GRANT AMOUNT

The legislation requires that the Development Grant shall provide regional PSAPs and RECCs with funds to support the development and startup of regional and regional secondary PSAPs and regional emergency communication centers. *See* G.L. c. 6A, §18B(i)(5). The Department seeks to increase funding to \$40 million for the Fiscal Year 2024 Development Grant.

With respect to the Development Grant, the legislation provides as follows:

The regional and regional secondary PSAP and regional emergency communication center development grant shall support the development and startup of regional and regional secondary PSAPs and regional emergency communication centers, including the expansion or upgrade of existing regional and regional secondary PSAPs, to maximize effective emergency 911 and dispatch services as well as regional interoperability. The eligibility for criteria, amount and allocation of funding shall be contained in guidelines established by the department, with commission approval. The grant shall reimburse allowable expenses related to such development and startup, or expansion or upgrade. Any subsequent adjustments that increase the initial funding allocated to this grant by 10 per cent or more shall be approved by the department of telecommunications and cable, upon the petition of the department. The department of telecommunications and cable shall conduct its review and issue a decision within 90 days of the date of the filing of the petition, but the request for approval shall be deemed approved if the department of telecommunications and cable does not issue its decision within 90 days. *See* G.L. c. 6A, §18B(i)(5).

The initial Development Grant allocation amount that was established in Fiscal Year 2009 by the Department, with Commission approval, was \$7.5 million.

Consistent with the legislative intent and the goal of improving public safety and increasing regionalization of government services, the Development Grant is used to establish regional PSAPs and RECCs. Regional PSAPs and RECCs not only create more efficient and effective use of government resources, but also improve public safety for the residents they serve. Combining emergency communication resources through regional PSAPs and RECCs allows for increased staffing, thereby affording 911 telecommunicators the ability to more effectively interact with the public while gathering essential call information and providing potentially life-saving instructions and adequately responding to larger or multiple simultaneous incidents. Regional PSAPs and RECCs allow for increased coordination of a region's limited emergency response resources, including specialized fire, police and EMS vehicles and personnel, and leads to more efficient response to both routine requests for mutual aid and major disasters.

Since the inception of the Development Grant through FY 2023, the Department has allocated a total of \$ 187,331,497 under this program. Each grant cycle the Department has received requests for funding that total well in excess of the amount allocated to the grant. In Fiscal Year 2023, the Department received grant requests totaling over \$54 million.

Given the past interest shown in the Development Grant, the number of new and multi-year projects, and other regional projects on the horizon, and as a means of providing further incentives to encourage existing regional centers to add to their ranks, the \$40 million for FY 2024 will allow the Department to fund projects

more fully than it has in the past several fiscal years. The FY 2024 application period closed on Thursday, March 2, 2023. The Department received twenty-four (24) applications totaling \$76.6 million.

The legislation (G.L. 6A, §18B(b)) provides that the State 911 Commission “shall review and approve by a majority vote of those members present all formulas, percentages, guidelines or other mechanisms used to distribute the grants described in section 18B, and all major contracts that the [D]epartment proposes to enter into for enhanced 911 service.” At its meeting held on November 16, 2022, the Commission unanimously voted to authorize the Department to seek DTC approval of the \$40 million amount.

Accordingly, the Department requests that the DTC approve the Development Grant allocation of \$40 million for Fiscal Year 2024.

IV. TELECOMMUNICATOR EMERGENCY RESPONSE TASKFORCE (“TERT”) GRANT GUIDELINES

EOPSS, the Department and the SWIC endeavored to implement a TERT program within the Commonwealth of Massachusetts.

The TERT program is designed to support 9-1-1 communications centers requiring assistance. TERT deployments assist public safety answering points that are stretched beyond their capabilities as the result of an unprecedented event. The TERT program helps provide much-needed relief to dispatchers. The Department has developed guidelines to allow for the continued operation of the TERT program throughout the Commonwealth, as well as a curriculum and certification process for telecommunicators. The initial TERT Grant will begin on July 1, 2023 and runs through June 30, 2026.

On January 26, 2023, the Commission approved the TERT Grant Guidelines, a copy of which is attached hereto as Exhibit C.

Accordingly, the Department requests that the DTC approve the TERT Grant as a new grant program to be administered by the Department.

V. MASSACHUSETTS EQUIPMENT DISTRIBUTION PROGRAM (MassEDP) REQUEST FOR RESPONSES (RFR)

Section 15E(b) of MGL, c. 166 requires that “The department shall provide and maintain a SCPE distribution service, and shall make such services available to any residential subscriber who is: (i) certified by the Massachusetts commission on the deaf and hard of hearing as sufficiently deaf or hard of hearing to be in need of SCPE equipment; (ii) certified by the Massachusetts commission for the blind as sufficiently visually impaired to be in need of SCPE equipment; or (iii) certified by the Massachusetts rehabilitation commission as otherwise sufficiently disabled to be in need of SCPE equipment.”⁷ The Department shall, prior to the implementation of services, along with the Massachusetts commission on the deaf and hard of hearing, issue a request for proposals subject to the department of telecommunications and cable’s review and approval seeking competitive bids from qualified vendors to provide such services. Communications services providers shall be permitted to submit a competitive bid to provide the aforementioned services. In any rate proceeding conducted under chapter 159 in which a common carrier seeks to reflect the costs for such services in rates, the carrier shall submit to the department of telecommunications and cable information about such requests for proposals such that the department of telecommunications and cable may determine whether the carrier’s proposal would provide such services at a cost

⁷ G.L. c. 166, § 15E(b).

to the carrier that reflects the least cost to its ratepayers with due regard for standards of reliability and quality, consistent with the public interest.⁸

The Department has released a RFR for such services in consultation with the Massachusetts Commission on the Deaf and Hard of Hearing and has posted the RFR on CommBuys (BD-23-1044-EPS90-1044E-84959). A copy of the RFR is attached hereto as Exhibit D.

Accordingly, the Department requests that the DTC review and approve the attached RFR.

VI. CONCLUSION

All of the expenditures and projected expenditures are prudently incurred expenses designed to fulfill the Department's statutory responsibility to coordinate and effect the implementation of enhanced 911 service, to administer such service in the Commonwealth, and to administer and support the disability access programs in the Commonwealth.

Accordingly, the Department requests DTC Approval of the Department's Fiscal Year 2023 Expenditures, Approval of Fiscal Year 2024 Development Grant Amount, Approval of TERT Grant Guidelines, and Approval of MassEDP RFR.

Thank you for your attention to this matter, and please feel free to contact me for further information.

Sincerely,



Frank Pozniak
Executive Director

cc (w/encs.): Karen Charles Peterson, Commissioner, DTC
Sarah Monahan, General Counsel, DTC
Lindsay DeRoche, Director, Competition Bureau, DTC
Donald Boecke, Office of the Attorney General
Kerry Collins, Undersecretary, Executive Office of Public
Safety and Security
Normand Fournier II, Deputy Executive Director, State 911 Department
Dennis Kirwan, General Counsel, State 911 Department
Karen Robitaille, Fiscal Director, State 911 Department

⁸ G.L. c. 166, § 15E(c).